

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SUZANNE GREENE,

Plaintiff,

vs.

TYLER TECHNOLOGIES, INC.,

Defendant.

Civil Action No. 1:19-cv-1338-AT

PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiff Suzanne Greene, through the undersigned counsel, hereby moves this Honorable Court for partial summary judgment pursuant to Federal Rule of Civil Procedure 56 in the above-styled case on the ground that there is no genuine issue of material fact and Plaintiff is entitled to judgment as a matter of law on the issues of:

1. Whether Defendant Tyler Technologies is the successor in interest of ExecuTime Software, LLC; and
2. Whether Plaintiff was an exempt administrative employee in her position as a “project manager” when employed by ExecuTime Software, LLC, and when employed as an “implementation consultant” by Defendant Tyler Technologies, Inc.

In support of this Motion, Plaintiff relies upon the following:

1. All pleadings;
2. The depositions in the record and all exhibits thereto;
3. Memorandum of Law in Support of Plaintiff's Motion for Partial Summary Judgment;
4. Plaintiff's Statement of Material Facts as to Which There is No Genuine Dispute and the attachments thereto; and
5. All other pleadings and documents filed at the time this Motion for Summary Judgment is heard.

WHEREFORE, Plaintiff prays that the Court grant her Motion for Partial Summary Judgment on each of these issues and grant all other appropriate relief.

This 6th day of April 2020,

Respectfully submitted,

**DELONG CALDWELL BRIDGERS
FITZPATRICK & BENJAMIN, LLC**

/s/Matthew W. Herrington

Mitchell D. Benjamin
Georgia Bar No. 049888
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CERTIFICATE OF SERVICE

I certify that on this date I caused the foregoing document to be filed with the Clerk via the Court's CM/ECF system, thereby ensuring electronic service upon all counsel of record.

Dated: April 6, 2020

/s/Matthew W. Herrington
Matthew W. Herrington
Georgia Bar No. 275411